

ORDER

The Magistrate Judge conducted the hearing from January 20-21, 2015, and filed his R&R on March 10, 2015. The R&R finds that plaintiff provided timely,

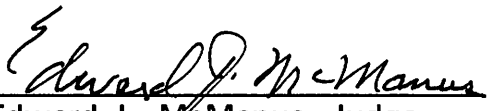
adequate and sufficient notice that it was defending the action under a reservation of rights, that defendant knew or should have known this, that there was no reliance or prejudice, and that the equitable affirmative defense estoppel did not apply here.

It is therefore

ORDERED

R&R accepted. Judgment for plaintiff.

May 19, 2015


Edward J. McManus, Judge
UNITED STATES DISTRICT COURT